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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/724,955	12/01/2003	Renjith Ramachandran	1160215.0511786	3592

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FROST BROWN TODD LLC
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EXAMINER

PRESTON, JOHN O

ART UNIT	PAPER NUMBER
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4143

MAIL DATE	DELIVERY MODE
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03/04/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/724,955

Applicant(s)

RAMACHANDRAN ET AL.

Examiner

JOHN O. PRESTON

Art Unit

4143

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 December 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☒ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-850)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____
- Paper No(s)/Mail Date 10-14-2004; 12-20-2007

DETAILED ACTION

Status of Claims

1. This action is in reply to the application filed on December 1, 2003.
2. Claims 1-10 are currently pending and have been examined.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

4. Claim 4 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Claim 4 discloses the limitations of: a script containing a modifiable element and a nonmodifiable element; and the mediation script designer is further configured to display the modifiable element with a graphical annotation that differs from the nonmodifiable element. Nowhere in the specifications are the terms "modifiable element" or "nonmodifiable element" defined either explicitly or implicitly. Without a sufficient description for these terms in the specification, claim 4 as stated does not comply with the written description requirement.

Claim Rejections - 35 USC § 101

5. Claims 1-10 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. The software of claims 1-10 is not a process, machine, manufacture, or composition of matter, or any improvement thereof. Further describing the software as "a computer-executable program tangibly embodied on a computer readable medium" is a suggestion for how to bring this claim into compliance with 35 U.S.C. 101 because "a computer-executable program tangibly embodied on a computer readable medium" is statutory subject matter.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 1-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Flores (5,734,837) and in view of Bowman-Amuah (6,289,382), and further in view of Volftsun (6,151,390).

Claim 1: Flores discloses the following limitation(s):

- a mediation script designer configured to graphically and interactively present a user with an environment for modifying the plurality of scripts (Flores: Abstract; column 1, lines 1-23; column 7, lines 45-65; column 14, lines 1-10).

Flores does not disclose the remaining limitation(s). However, Bowman-Amuah discloses the following:

- a data handler configured to parse, format and assemble the standard format usage data in accordance with a plurality of scripts (Bowman-Amuah: Figs. 158 and 161; column 275, lines 30-60; column 276, lines 20-25. Bowman-Amuah teaches a data handler that can manipulate data based on instruction from an object or logic within the data handler);

Bowman-Amuah does not disclose the remaining limitation(s). However, Volftsun discloses the following:

- a protocol handler configured to receive usage data from a plurality of network elements and to format the usage data into a standard format (Volftsun: abstract);

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the scripting method of Flores with the data handling techniques of Bowman-Amuah and Volftsun because converting signals from different sources to one standard format makes the system more efficient and robust.

Claim 2: Flores/Bowman-Amuah/Volftsun discloses the limitation(s) as shown in the rejection of claim 1. Flores further discloses the following:

- the mediation script designer is further configured to display a script in a graphical depiction (Flores: Abstract; column 1, lines 1-23).

Claim 3: Flores/Bowman-Amuah/Volftsun discloses the limitation(s) as shown in the rejection of claim 2. Flores further discloses the following:

- the mediation script designer is further configured to display a script as a flow diagram (Flores: Abstract; column 1, lines 1-23).

Claim 4: Flores/Bowman-Amuah/Volftsun discloses the limitation(s) as shown in the rejection of claim 2. Flores further discloses the following:

- a script contains a modifiable element and a nonmodifiable element (Flores: column 15, line 10-column 16, line 10),
- the mediation script designer is further configured to display the modifiable element with a graphical annotation that differs from the nonmodifiable element (Flores: Fig. 4, item 97. Flores teaches a display module that can display all components of a script, including modifiable elements and nonmodifiable elements).

Claim 5: Flores/Bowman-Amuah/Volftsun discloses the limitation(s) as shown in the rejection of claim 2. Flores further discloses the following:

- the mediation script designer is further configured to selectively display a script in a graphical depiction and as a text depiction (Flores: column 9, lines 30-40; column 6, lines 40-45).

Claim 6: Flores/Bowman-Amuah/Volftsun discloses the limitation(s) as shown in the rejection of claim 1. Flores further discloses the following:

- the mediation script designer is further configured to display a script editing window and a resource listing of recorded scripts (Flores: column 31, lines 15-35).

Claim 7: Flores/Bowman-Amuah/Volftsun discloses the limitation(s) as shown in the rejection of claim 6. Flores further discloses the following:

- the mediation script designer is further configured to respond to a drag and drop operation between a recorded script in the resource listing and the script editing window (Flores: column 7, lines 60-67).

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Claim 8: Flores discloses the following limitation(s):

- a database containing the billing-related usage data (Flores: column 4, lines 45-67);
- a script designer responsive to a user and in client communication with the mediation manager script interface and database (Flores: column 6, lines 10-20; column 4, lines 45-65);
- a mediation manager script interface in electronic communication with the database and operably configured in accordance with a plurality of scripts (Flores: column 6, lines 25-35)
- a presentation layer providing a platform independent graphical user interface that is coupled to an integrated testing environment framework for communicating with the mediation manager (Flores: column 21, lines 40-55).

Flores does not disclose the remaining limitation(s). However, Bowman-Amuah discloses the following:

- to perform data handling to parse, format and assemble the standard format usage data for distribution (Bowman-Amuah: Figs. 158 and 161; column 275, lines 30-60; column 276, lines 20-25);

Bowman-Amuah does not disclose the remaining limitation(s). However, Volftsun discloses the following:

- to perform protocol handling of receive usage data in the database from a plurality of network elements, to format the usage data into a standard format (Volftsun: abstract),

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the scripting method of Flores with the data handling techniques of Bowman-Amuah and Volftsun because the

combination would provide the benefit of added compatibility with network components that use varying signals.

Claim 9: Flores/Bowman-Amuah/Volftsun discloses the limitation(s) as shown in the rejection of claim 8. Flores further discloses the following:

- the mediation manager is further configured to access script versions control repository, the script designer further configures to respond to a user to interact with the script versions control repository (Flores: column 30, lines 58-67; column 31, lines 45-53).

Claim 10: Flores discloses the following limitation(s):

- a means for remotely presenting a graphical user interface for editing a plurality of scripts that control the means for receiving, protocol handling, assembling, correlating, and distributing the usage data (Flores: column 4, lines 45-65; column 7, lines 48-61).

Flores does not disclose the remaining limitation(s). However, Bowman-Amuah discloses the following:

- a means for assembling, correlating and distributing the usage data to a plurality of billing system outcollects (Bowman-Amuah: Figs. 158 and 161; column 275, lines 30-60; column 276, lines 20-25. Bowman-Amuah teaches a data handler that can manipulate data based on instruction from an object or logic within the data handler);

Bowman-Amuah does not disclose the remaining limitation(s). However, Volftsun discloses the following:

- a means for receiving and protocol handling the usage data from the plurality of collection points (Volftsun: abstract);

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It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the scripting method of Flores with the data handling techniques of Bowman-Amuah and Volftsun because the combination would provide the benefit of a more efficient means of handling the input and output of data as well as a more effective way of handling multiples signals with varying protocols.

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Any inquiry of a general nature or relating to the status of this application or concerning this communication or earlier communications from the Examiner should be directed to **John Preston** whose telephone number is **571.270.3918**. The Examiner can normally be reached on Monday-Friday, 9:30am-5:00pm. If attempts to reach the examiner by telephone are unsuccessful, the Examiner's supervisor, **JAMES REAGAN** can be reached at **571.272.6710**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://portal.uspto.gov/external/portal/pair> <<http://pair-direct.uspto.gov>>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at **866.217.9197** (toll-free).

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to **571-273-8300**

Hand delivered responses should be brought to:

United States Patent and Trademark Office

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/John O Preston/

Examiner, Art Unit 4143

Art Unit: 4143

February 28, 2008

/JAMES A REAGAN/Supervisory Patent Examiner, Art Unit 4143